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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,)
10) Plaintiff,) Case No.: 2:19-mj-151-CWH
11))
vs.)) **STIPULATION TO CONTINUE
12) BENCH TRIAL**
13))
TEDDY COOPER,))
14)) Defendant.) (First Request)
15))

16 **IT IS HEREBY STIPULATED AND AGREED**, by and between NICHOLAS A.
17 TRUTANICH, United States Attorney, and ALLISON REESE, Assistant United States
18 Attorney, counsel for the United States of America, and STEVEN M. ALTIG, ESQ., for
19 TEDDY COOPER; that the bench trial currently scheduled for June 5, 2019, at the hour
20 of 9:00 a.m., be vacated and continued for thirty (30) days or to a date thereafter which
21 is convenient to the court.

22 This Stipulation is entered into for the following reasons:

- 24 1. That Counsel needs additional time to potentially negotiate the case and
25 if not they will need adequate time to prepare for trial.
- 26 2. The parties agree to the continuance.
- 27 3. The Defendant is not incarcerated and does not object to the
28 continuance.

1 4. The additional time requested herein is not sought for purposes of delay,
2 but merely to allow Counsel sufficient time within which to review the file, and possibly
3 negotiate the case or adequately prepare for trial.

4 5. Denial of this request for continuance would deny Counsel sufficient time
5 within which to be able to effectively and thoroughly research, prepare and submit for filing
6 appropriate pretrial motions and notices, taking into account the exercise of due diligence.

7 6. Additionally, denial of this request for continuance could result in a
8 miscarriage of justice.

9 7. The additional time requested by this Stipulation is excluded in
10 computing the time within which the trial herein must commence pursuant to the Speedy
11 Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors
12 under Title 18, United States Code, Sections 3161 (h)(7)(B)(i) and 3161 (h)(7)(B)(iv).

13 This is the first request to continue bench trial date filed herein.

14 DATED this 4th day of June , 2019.

15
16 By /s/Steven M. Altig
17 STEVEN M. ALTIG, ESQ.
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19 601 South Seventh Street
20 Las Vegas, Nevada 89101
21 Attorney for Defendant

22 By /s/Allison Reese
23 NICHOLAS A. TRUTANICH, ESQ.
24 United States Attorney
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Attorney for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,)
11 Plaintiff,) Case No.: 2:19-mj-151-CWH
12 vs.)
13 TEDDY COOPER,)
14 Defendant.) (First Request)
15)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

20 1. Counsel needs additional time to potentially negotiate the case and if
21 not they will need adequate time to prepare for trial.

22 || 2. The parties agree to the continuance.

23 3. The Defendant is not incarcerated and does not object to the
24 continuance

25 4. The additional time requested herein is not sought for purposes of delay,
26 but merely to allow Counsel sufficient time within which to review the file, and possibly
27 negotiate the case or adequately prepare for trial.
28

1 5. Denial of this request for continuance would deny Counsel sufficient time
2 within which to be able to effectively and thoroughly research, prepare and submit for filing
3 appropriate pretrial motions and notices, taking into account the exercise of due diligence.
4

5 6. Additionally, denial of this request for continuance could result in a
6 miscarriage of justice.
7

8 7. The additional time requested by this Stipulation is excludable in
9 computing the time within which the trial herein must commence pursuant to the Speedy
10 Trial Act, Title 18, United States Code, Sections 3161(h)(1)(F) 3161(h)(7) and Title 18,
11 United States Code, Section 3161(h)(8)(A), considering the factors under Title 18, United
12 States Cod, Sections 3161(h)(8)(B)(I) and 3161(h)(8)(B)(iv).
13

14 This is the first request to continue bench trial date filed herein.
15

16 For all of the above stated reasons, the ends of justice would be best served by a
17 continuance of the bench trial date.
18

19 **CONCLUSIONS OF LAW** 20

21 The ends of justice served by granting said continuance outweigh the best interest
22 of the public and the Defendant in a speedy trial, since the failure to grant said
23 continuance would be likely to result in a miscarriage of justice, would deny the parties
24 herein sufficient time and the opportunity within which to be able to effectively and
25 thoroughly prepare for trial, taking into account the exercise of due diligence.
26

27 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
28 United States Code, Sections 3161(h)(1)(F) 3161(h)(7) and Title 18, United States Code,
Section 3161(h)(8)(A), considering the factors under Title 18, United States Cod, Sections
3161(h)(8)(B)(I) and 3161(h)(8)(B)(iv).
29
30 // /

ORDER

IT IS FURTHER ORDERED that the bench trial currently scheduled for June 5, 2019, at the hour of 9:00 a.m., be vacated and continued to July 10, 2019 at the hour of 9:00 a.m.

6 DATED June 10, 2019, nunc pro tunc June 5, 2019

Curt H

United States Magistrate Judge